

AO 440 (Rev. 04/08) Civil Summons

UNITED STATES DISTRICT COURT
for the

Northern District of California

CHARLES W. O'BRYAN JR.

Plaintiff

v.

RODEO EXPRESS CHARTER, ET AL.

Defendant

Civil Action No. CV 08-03367 RS

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Summons in a Civil Action

To: *(Defendant's name and address)*

Rodeo Express Charters
326 Phelan Avenue
San Jose, CA 95112

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:
Charles W. O'Bryan, Jr
1275 Ashcroft Lane, San Jose, CA 95110

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Richard W. Wieking

Name of clerk of court

Betty J. Waltz, Jr.

Deputy clerk's signature

Date: July 16, 2008

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Proof of Service

I declare under penalty of perjury that I served the summons and complaint in this case on _____ by:

- (1) personally delivering a copy of each to the individual at this place, _____; or

(2) leaving a copy of each at the individual's dwelling or usual place of abode with
who resides there and is of suitable age and discretion; or

(3) delivering a copy of each to an agent authorized by appointment or by law to receive it whose name is
_____; or

(4) returning the summons unexecuted to the court clerk on _____; or

(5) other (specify) _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

Date: _____

Server's signature

Printed name and title

Server's address